

110TH CONGRESS  
2D SESSION

# H. R. 6767

To facilitate the establishment of additional or expanded public target ranges  
in certain States.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2008

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To facilitate the establishment of additional or expanded  
public target ranges in certain States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE, FINDINGS, AND PURPOSE.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Target Practice and Marksmanship Training Support  
6       Act”.

7       (b) FINDINGS.—The Congress finds the following:

8               (1) Use of firearms for target practice and  
9       marksmanship training on Federal lands is allowed

1       except to the extent specific portions of such lands  
2       have been closed to such activities.

3           (2) In recent years, considerations of public  
4       safety have made it necessary to close additional  
5       portions of Federal lands to target practice and  
6       marksmanship training, especially in States that  
7       have experienced significant population growth.

8           (3) Use of public target ranges on Federal  
9       lands is often more consistent with public safety and  
10      convenience than use of undeveloped Federal lands  
11      for target practice and marksmanship training.

12          (4) It is in the public interest for the Federal  
13      Government to provide support for construction or  
14      expansion of public target ranges, especially in  
15      States where population growth and patterns of set-  
16      tlement in recent years have made it necessary to  
17      prohibit such activities on Federal lands where tar-  
18      get practice and marksmanship training were for-  
19      merly allowed.

20          (5) Current law, including the Pittman-Robert-  
21      son Wildlife Restoration Act, provides Federal sup-  
22      port for construction or expansion of public target  
23      ranges by making available to States funds that can  
24      be used for construction, operation, and maintenance  
25      of public target ranges.

1           (6) It is in the public interest to provide greater  
2       Federal support to facilitate construction or expansion  
3       of public target ranges in States that have experienced  
4       population growth and a reduction in the  
5       number of such target ranges on Federal lands.

6       (c) PURPOSE.—The purpose of this Act is to facilitate  
7       the construction and expansion of public target  
8       ranges, including ranges on Federal lands managed by the  
9       Forest Service and Bureau of Land Management, in  
10      States that have experienced population growth and a reduction  
11      in the extent to which target practice and marksmanship  
12      training are permitted on Federal lands in such  
13      States.

14   **SEC. 2. FUNDING.**

15       (a) COST SHARING AND AVAILABILITY OF FUNDS.—  
16      Section 10 of the Pittman-Robertson Wildlife Restoration  
17      Act (16 U.S.C. 669h–1) is amended as follows:

18           (1) By amending subsection (b) to read as follows:  
19       lows:

20       “(b) COST SHARING.—

21           “(1) IN GENERAL.—Except as provided by  
22       paragraph (2), the Federal share of the cost of any  
23       activity carried out with a grant under this section  
24       shall not exceed 75 percent of the total cost of the  
25       activity.

1           “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
2       EXPANSION.—

3           “(A) The Federal share of the cost of ac-  
4       quiring land for, or construction or expansion  
5       of, a public target range in an eligible State  
6       shall not exceed 90 percent of such cost.

7           “(B) For purposes of this paragraph, the  
8       term ‘eligible State’ means a State that, since  
9       the most recent decennial census, has experi-  
10      enced—

11           “(i) at least a 2 percent growth in  
12       population, as demonstrated by the State  
13       to the satisfaction of the Secretary; and

14           “(ii) a reduction in the acreage of  
15       Federal lands in such State where target  
16       practice and marksmanship training are  
17       permitted, as determined by the Sec-  
18       retary.”.

19           (2) In subsection (c)(1), by striking the final  
20       period and inserting the following: “except that  
21       amounts provided for acquiring land for, or con-  
22       struction or expansion of, public target ranges shall  
23       remain available until expended in the case of a  
24       State that, since the most recent decennial census,  
25       has experienced—

1           “(A) at least a 2 percent growth in popu-  
2           lation, as demonstrated by the State to the sat-  
3           isfaction of the Secretary; and

4           “(B) a reduction in the acreage of Federal  
5           lands in such State where target practice and  
6           marksmanship training are permitted, as deter-  
7           mined by the Secretary.”.

8           (b) USE OF WILDLIFE CONSERVATION FUNDS.—  
9           Section 4 of the Pittman-Robertson Wildlife Restoration  
10          Act (16 U.S.C. 669c) is amended—

11           (1) by redesignating subsection (c) (relating to  
12          apportionment of Wildlife Conservation and Restora-  
13          tion Account) as subsection (d) and subsection (d)  
14          (relating to Wildlife Conservation and Restoration  
15          Programs) as subsection (e);

16           (2) in subsection (e)(3), as redesignated by  
17          paragraph (1), by striking “subsection (c)” and in-  
18          serting “subsection (d)”; and

19           (3) in subsection (e)(4)(B), as redesignated by  
20          paragraph (1), by—

21           (A) inserting “(i)” after “(B)”; and

22           (B) adding at the end the following new  
23          clauses:

24           “(ii) During the first fiscal year be-  
25          ginning after the date of enactment of the

1 Target Practice and Marksmanship Train-  
2 ing Support Act and each of the 9 subse-  
3 quent fiscal years, not more than 10 per-  
4 cent of the amounts apportioned to an eli-  
5 gible State under this section for such  
6 State's wildlife conservation and restora-  
7 tion program may be used for acquiring  
8 land for, or construction or expansion of,  
9 public target ranges or for assisting a Fed-  
10 eral land-management agency with envi-  
11 ronmental remediation or other steps need-  
12 ed to allow for public target ranges on  
13 Federal lands.

14 “(iii) As used in clause (ii), the term  
15 ‘eligible State’ means a State that, since  
16 the most recent decennial census, has expe-  
17 rienced—

18 “(I) at least a 2 percent growth  
19 in population, as demonstrated by the  
20 State to the satisfaction of the Sec-  
21 retary; and

22 “(II) a reduction in the acreage  
23 of Federal lands in such State where  
24 target practice and marksmanship

1 training are permitted, as determined  
2 by the Secretary.”.

3 **SEC. 3. LIMITS ON LIABILITY.**

4 (a) DISCRETIONARY FUNCTION.—For purposes of  
5 the Federal Tort Claims Act (28 U.S.C. 1346(b), 2671–  
6 2680), any action by an agent or employee of the United  
7 States to authorize use of Federal land for purposes of  
8 target practice or marksmanship training by members of  
9 the public shall be considered to constitute the exercise  
10 or performance of a discretionary function.

11 (b) CIVIL ACTION OR CLAIMS.—Except to the extent  
12 provided in the Federal Tort Claims Act (28 U.S.C.  
13 1346(b), 2671–2680), the United States shall not be sub-  
14 ject to any civil action or claim for money damages for  
15 injury or loss of property, or personal injury or death  
16 caused by any activity occurring at a public target range  
17 that is wholly or partially funded by the United States  
18 pursuant to this Act or located on Federal land.

19 **SEC. 4. COOPERATION.**

20 It is the sense of Congress that, consistent with appli-  
21 cable laws and regulations, the Forest Service and the Bu-  
22 reau of Land Management should cooperate with State  
23 and local authorities and other entities to carry out envi-  
24 ronmental remediation or other activities on Federal lands

- 1 used as public target ranges in order to avoid closing such
- 2 lands to use for target practice or marksmanship training.

